

MINUTES OF COUNCIL MEETING
APRIL 27, 2006
6:30 P.M.

The Murray City Council met in regular session on Thursday, April 27, 2006, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

Council Members Present: Lance Allison, Dan Miller, Pete Lancaster, Rita Henley, Danny Hudspeth, Hugh Massey, Robert Billington, Pat Scott, Jason Pittman, Butch Seargent, and Bill Wells.

Council Members Absent: Doris Parham.

Staff Present: J. L. Barnett, Don Leet, Don Elias, Ken Claud, Michael Skinner, Thomas Clendenen, Philip Morris, David Roberts, Candace Dowdy, Matt Mattingly, Harla McClure, and Warren Hopkins.

Minutes of the council meeting held April 13, 2006, were presented for approval. **Mr. Lancaster moved, seconded by Mr. Wells,** to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Mayor Rushing asked Warren Hopkins, attorney for the City, to address the council. Mr. Hopkins stated that the City had entered into a contract with F. T. Seargent, PLS, on March 13, 2006, to provide the City with a property description for the southwest annexation. Mr. Hopkins stated that pursuant the City's Code of Ethical Conduct, the contract between the City and Mr. Seargent needed to be approved by the council. Mr. Hopkins stated that the service was also provided to the City at a reduced cost.

Don Elias, City Administrator, stated that the City had contacted other surveyors to have the work completed. Unfortunately, none of the companies were able to perform the required work in the time frame needed.

Dr. Miller moved, seconded by Mr. Billington to allow the City to enter into a contract with F. T. Butch Seargent, PLS since it was in the best interest of the City due to price and due to no other surveyor being able to complete the work in the time frame needed by the City, with said approval being retroactive to March 13, 2006.

With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Dan Miller, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, and Bill Wells.

NAYS: None.

Councilman Seargent recused himself from the vote.

Mayor Rushing declared the authorization of the City to enter into a contract with F. T. Seargent, PLS retroactive to March 13, 2006, approved.

Ordinance Number 2006-1402 an ordinance annexing a 23.829 acre tract of land located on Robertson Road South and owned by Dale Campbell, D&D Incorporated was presented to the council for a second reading. **Mr. Pittman moved, seconded by Mr. Allison** to adopt said ordinance.

With no discussion, Mayor Rushing called for a roll call vote which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Dan Miller, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1402 adopted on a second reading and recorded in Ordinance Book Number 6, Page _____.

Ordinance Number 2006-1404 an ordinance zoning the proposed annexation of a 23.829 acre tract of land located on Robertson Road South and owned by Dale Campbell, D&D Incorporated, as R-2 (single family residential) was presented to the council for a second reading. **Mr. Billington moved, seconded by Mr. Massey** to adopt same.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Dan Miller, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1404 adopted on the second reading and recorded in Ordinance Book Number 6, Page _____.

Ordinance Number 2006-1405 an Ordinance amending Ordinance Number 2005-1379, which adopted the 2005-2006 City of Murray, Kentucky annual budget by restating certain revenues and expenditures for the City of Murray Operations Budget, regarding amending the budgeted amount for the street sweeper from \$100,000 to \$112,235 was presented to the council on a second reading. **Mr. Scott moved, seconded by Mr. Wells** to adopt said ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Dan Miller, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1405 adopted on the second reading and recorded in Ordinance Book Number 6, Page _____.

Ordinance Number 2006-1406 an Ordinance annexing a 301.877 acre tract of land generally located on the southwest side of Murray, Calloway County, Kentucky was presented to the council on a first reading. **Mr. Allison moved, seconded by Mr. Billington** to approve said Ordinance.

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Dan Miller, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

NAYS: None.

Councilman Seargent recused himself.

Mayor Rushing declared Ordinance Number 2006-1406 approved on the first reading.

Recommendation from Murray Planning Commission authorizing the city attorney to draft an ordinance zoning a 301.877 acre tract of land generally located on the southwest side of Murray, Calloway County, Kentucky as R-2 (single family residential) and AG (agriculture) was presented to the council for approval. **Mr. Pittman moved, seconded by Mr. Lancaster** to approve said recommendation.

With no further discussion, Mayor Rushing called for the voice vote, which was unanimous in favor of the motion.

Councilman Seargent recused himself.

Recommendation from Murray Planning Commission authorizing the city attorney to draft an ordinance rezoning a 4.53 acre tract of land owned by Harold McReynolds and Larry Hurt and located on the northwest corner of Robertson Road North and Highway 94 West from AG (agriculture) to R-2 (single family residential) was presented to the council for approval. **Ms. Henley moved, seconded by Mr. Massey** to approve said recommendation.

Mr. Massey questioned if this property is the corner that was held out for commercial and then was zoned agriculture and David Roberts affirmed same.

With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the recommendation.

Recommendation from Murray Planning Commission authorizing the city attorney to draft an ordinance rezoning 9.255 acres located between 4th Street and US Highway 741 North from R-2 (single family residential) to B-2 (highway business) was presented to the council for approval. Said property is owned by Margaret Neal of 1721 N 4th Street; Donald Thorn of 1713 N 4th Street; George Catlett of 1707 N 4th Street; Nancy Futrell who owns a 30 foot strip of property on N 4th Street; and Paul Garland of 1900 N 12th Street. **Ms. Henley moved, seconded by Mr. Pittman** to approve said recommendation.

Mr. Hudspeth asked what the property at 1900 N 12th is currently zoned and David Roberts, Director of Planning and Engineering, stated that the property has a split zone. Mr. Roberts stated the split zone occurred because the front part was developed and the back part was not.

Mr. Hudspeth asked what the 30 foot strip could be used for and Mr. Roberts stated that when the property was sold back in the early 70's, the property owner at the time reserved the 30 foot access strip to get to the property from off of Fourth Street. The other properties that were fronting on Fourth Street needed the 30 foot access easement for access off of Fourth Street.

The intent of this rezoning is to develop off of 641.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Lance Allison, Hugh Massey, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

NAYS: Danny Hudspeth and Dan Miller.

Mayor Rushing stated the recommendation was approved by a vote of 9 to 2.

Mayor Rushing recognized Butch Seargent and requested that he provide a report from the cemetery committee. Mr. Seargent stated the committee met to discuss the construction of a road in the newly developed section of the cemetery and what those costs would be.

Mr. Seargent moved, as unanimously recommended by the Cemetery Committee, to authorize Thomas Clendenen, Street Superintendent, to obtain quotes for constructing a new road in the cemetery. **Mr. Massey seconded the motion.** With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Mr. Wells stated the next Make a Difference Day is May 20th.

With no further business to come before the council, the meeting adjourned at 7:00 p.m.

H. Thomas Rushing, Mayor

Attest:

Harla McClure, City Clerk